

Practitioner's Docket No. 1576.89

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIYAZAWA, Yasuyuki
Application No.: 09/869,458 Group No.: n/a
Filed: June 26, 2001 Examiner: n/a
For: PROCESS FOR PRODUCING ACRYLIC ACID DERIVATIVE

Box PCT
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Attention: PCT Legal Office

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV 032345396 US

Date of Deposit: January 2, 2002

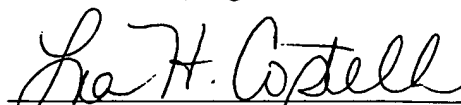
RECEIVED
18 JAN 2002
Legal Staff
International Division

I hereby state that the following *attached* paper or fee

- Renewed Petition Under 37 CFR Section 1.182 (in duplicate)
- Declaration of Inventor
- Declaration of Inventor's Supervisor
- Copy of Original Declaration filed June 26, 2001
- Copy of Notification of Missing Requirements mailed August 26, 2001
- Copy of Completion of Filing Requirements filed October 4, 2001
- Copy of Supplemental Declaration filed October 4, 2001
- Express Mail Certificate
- Post Card

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202

Lia H. Costello, Legal Assistant



Signature of person mailing paper or fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIYAZAWA, Yasuyuki

Application No.: 09/869,458

Group No.: n/a

Filed: June 26, 2001

Examiner: n/a

For: PROCESS FOR PRODUCING ACRYLIC ACID DERIVATIVE

Box PCT

Assistant Commissioner for Patents

P.O. Box 2327

Arlington, VA 22202

Attention: PCT Legal Office

RENEWED PETITION UNDER 37 C.F.R. SECTION 1.182
TO CORRECT INVENTOR'S NAME

1. Applicant hereby petitions to correct the true name of the inventor Yutaka ISHII in lieu of the name appearing in the International Publication of Hiroshi ISHII.

CERTIFICATION UNDER 37 C.F.R. Sections 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

02/22/2002 RECEIVED 00000001 131992 09869458 37 C.F.R. section 1.8(a)

37 C.F.R. section 1.10*

01 FC:122

☐ \$130.00 with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"
Mailing Label No.EV 0323453960US

Date: January 2, 2002


Signature

Lia H. Costello, Legal Assistant

1576C89.RenewedPetition.122801.doc

2. Applicants submit that a timely filed declaration was filed with the original filed national stage papers. The U.S. Designated/Elected Office mailed a Notification of Missing Requirements Under 35 U.S.C. 371. The notification stated in part that the current declaration does not comply with 37 C.F.R. 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. There was no attached PCT/DO/EO/917 form. This was confirmed by Vonda Wallace. Ms. Wallace indicated that because the name on the oath submitted with the national stage papers was different than that appearing on the International Publication, then the declaration was not signed by an actual inventor as required by 37 C.F.R. 1.497(b)(1). A copy of the Notification of Missing Requirements is attached.

When advised the Yutaka ISHII is an actual inventor and the same person as on the International Publication, and that the error in the Publication was due to WIPO's erroneous translation of a Chinese character, Ms. Wallace advised the undersigned to simply submit an affidavit explaining that the inventor named in the declaration is the same as the inventor listed in the Publication.

Page 3 of the declaration originally filed with the national stage papers did have a typographical error wherein the priority document JP 377353/1998 was shown as December 28, 1998 when the correct date was December 29, 1998. Even with this error, the declaration technically still met the requirements of 37 C.F.R. 1.497(b)(1), assuming the inventor name appearing in the declaration is the actual, true and correct name and the same person listed in the International Publication. A copy of the originally filed declaration is attached.

Applicants resubmitted a new declaration with the correct priority date to supplement the original declaration. A copy is attached.

Applicants also submitted a "Completion of Filing Requirement" on October 4, 2001 and requested that the surcharge of \$130.00 be taken from the deposit account noted on page 2 of the "Completion of Filing Requirements" form. See the attached form.

3. Applicants petition that the Office accept the originally filed declaration as a timely filed declaration signed by the actual inventors as required by 37 C.F.R. 1.497(b)(1).

4. Applicants petition that the Office accept the declaration filed on October 4, 2001 as a properly filed Supplemental declaration to correct the priority date.

5. Applicants petition that the surcharge fee instead be applied to the petition fee; otherwise the Fee required under 37 CFR Section 1.17(h) of \$130.00 should be charged to Deposit Account No. 13-1992. A duplicate copy of this request is attached.

Date: 1/2/02

Reg. No.: 40,693
Tel. No.: 727-538-3800
Customer No.: 24040


Signature of Practitioner

Dennis G. LaPointe
Mason & Associates, P.A.
17757 US Hwy 19 N., Suite 500
Clearwater, FL 33764

1576C89.RenewedPetition.122801.doc

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MIYAZAWA et al.)	
)	
S.N.: 09/869,458)	Examiner: UNKNOWN
)	
I.A. FILING DATE: 28 DEC 99)	Art Unit: UNKNOWN
)	
For: PROCESS FOR PRODUCING)	
ACRYLIC ACID DERIVATIVE)	
)	

DECLARATION OF INVENTOR

Box Patent Application
Commissioner of Patents & Trademarks
Washington, D.C. 20231

Dear Sir:

I, Yutaka ISHII, declare and state:

I am one of the co-inventors of the above-identified patent application and I am the same person listed as an inventor in PCT Publication WO00/40537 as "Hiroshi ISHII."

My true name is "Yutaka ISHII" and that for the reasons described below, the listing in the PCT publication is in fact myself; but due to a translation problem, the name "Hiroshi ISHII" was listed and that the error did not come to my attention or the attention of my supervisor until after the publication.

Please note that my name as an inventor in the basic Japanese patent application was shown by ideogram (Chinese letter), which can be properly read as "Yutaka ISHII"; however, the same ideogram can be popularly read as "Hiroshi ISHII." The person who apparently made the PCT application made a mistake by reading the ideogram as "Hiroshi ISHII" without confirming the reading of the name with me or my supervisor.

I respectfully requests that the USPTO accept my declaration under my proper name of "Yutaka ISHII."

I hereby declare that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or of any patent issuing therefrom.

Dated: 20, Dec, 2001

Yutaka Ishii
Yutaka ISHII

\\1576\\1576.89\\Inventor affidavit.doc

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MIYAZAWA et al.)	
S.N.: 09/869,458)	Examiner: UNKNOWN
I.A. FILING DATE: 28 DEC 99)	Art Unit: UNKNOWN
For: PROCESS FOR PRODUCING)	
ACRYLIC ACID DERIVATIVE)	
)	

DECLARATION OF INVENTOR'S SUPERVISOR

Box Patent Application
Commissioner of Patents & Trademarks
Washington, D.C. 20231

Dear Sir:

I, Keiichi TsukaShima, declare and state:

I am the manager of the laboratory in which Yutaka
ISHII is employed.

Yutaka ISHII is in fact one of the co-inventors of the
above-identified patent application and he is the same person
listed as an inventor in PCT Publication WO00/40537 as "Hiroshi
ISHII."

His true name is "Yutaka ISHII" and that for the
reasons described below, the listing in the PCT publication is in
fact "Yutaka ISHII"; but due to a translation problem, the name

"Hiroshi ISHII" was listed and that the error did not come to his attention or the attention of myself until after the publication, when noticed by the USPTO.

Please note that his name as an inventor in the basic Japanese patent application was shown by ideogram (Chinese letter), which can be read as "Yutaka ISHII"; however, the same ideogram can be popularly read as "Hiroshi ISHII." The International Bureau of WIPO, in preparing the publication and making the translation from the Chinese ideograms, apparently made a mistake by reading the ideogram as "Hiroshi ISHII" without confirming the reading of the name with me or Yutaka ISHII. I had not noticed the error until the USPTO noted the error.

I DECLARE THAT THE ERROR WAS INADVERTENT AND MADE WITHOUT ANY DECEPTIVE INTENT ON THE PART OF MYSELF OR THE INVENTOR. IN FACT, THE ERROR WAS OUTSIDE OUR CONTROL.

I respectfully requests that the USPTO accept the declaration of inventor under the proper name of "Yutaka ISHII."

I hereby declare that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or of any patent issuing therefrom.

Dated: 14, Dec. 2001

Keiichi Tsukamoto

1576\1576.89\Inventor Supervisor affidavit.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/869458	MIYAZAWA	Y 1576.89

DENNIS G. LAPOINTE
MASON & ASSOCIATES
17757 US HWY 19 N.
SUITE 500
CLEARWATER, FL 33764**COURTESY COPY**INTERNATIONAL APPLICATION NO.
PCT/JP99/07397

I.A. FILING DATE	PRIORITY DATE
28 DEC 99	29 DEC 98

DATE MAILED:

06 AUG 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventor(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input checked="" type="checkbox"/> Other: THIRD INVENTOR NAME NOT THE SAME ON I.A. OR P40-SHEET ALSO INCORRECT PRIORITY DATE YOU HAVE IMPROPER MULTI CLAIMS |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐
- U.S. Basic National Fee.
- ☐
- Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐
- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
-
- ☐
- The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
-
- ☐
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
-
- ☐
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
-
- ☒
- The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
-
- ☒
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☒ PTO-875 ☐ PCT/DO/EO/920

Vonda M. Wallace

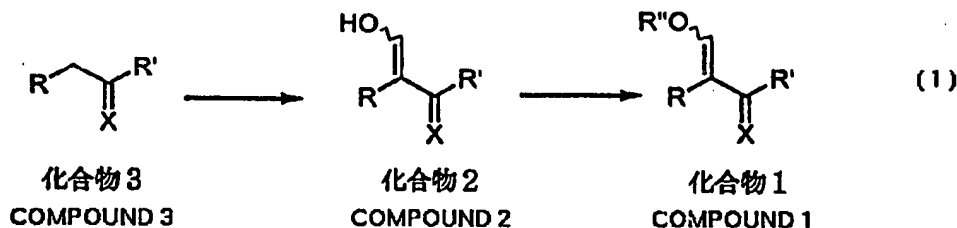
FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3736

<p>(51) 国際特許分類7 C07C 45/68, 45/64, 49/248, 49/258, 67/31, 67/343, 69/73, 69/732, 69/734, C07D 239/52, 311/76, C07F 7/18, C07B 41/06, 41/04, 37/00</p>	<p>A1</p>	<p>(11) 国際公開番号 WO00/40537</p> <p>(43) 国際公開日 2000年7月13日(13.07.00)</p>															
<p>(21) 国際出願番号 PCT/JP99/07397</p> <p>(22) 国際出願日 1999年12月28日(28.12.99)</p> <p>(30) 優先権データ</p> <table border="0"> <tr> <td>特願平10/377353</td> <td>1998年12月29日(29.12.98)</td> </tr> <tr> <td>特願平11/13759</td> <td>1999年1月22日(22.01.99)</td> </tr> <tr> <td>特願平11/14319</td> <td>1999年1月22日(22.01.99)</td> </tr> <tr> <td>特願平11/66656</td> <td>1999年3月12日(12.03.99)</td> </tr> <tr> <td>特願平11/298257</td> <td>1999年10月20日(20.10.99)</td> </tr> <tr> <td>特願平11/348302</td> <td>1999年12月8日(08.12.99)</td> </tr> <tr> <td>特願平11/348564</td> <td>1999年12月8日(08.12.99)</td> </tr> <tr> <td>特願平11/348752</td> <td>1999年12月8日(08.12.99)</td> </tr> </table> <p>(71) 出願人 (米国を除くすべての指定国について) 日本曹達株式会社(NIPPON SODA CO., LTD.)(JP/JP) 〒100-8165 東京都千代田区大手町2丁目2番1号 Tokyo, (JP)</p>	特願平10/377353	1998年12月29日(29.12.98)	特願平11/13759	1999年1月22日(22.01.99)	特願平11/14319	1999年1月22日(22.01.99)	特願平11/66656	1999年3月12日(12.03.99)	特願平11/298257	1999年10月20日(20.10.99)	特願平11/348302	1999年12月8日(08.12.99)	特願平11/348564	1999年12月8日(08.12.99)	特願平11/348752	1999年12月8日(08.12.99)	<p>(72) 発明者 ; および (75) 発明者 / 出願人 (米国についてののみ) 宮澤靖之(MIYAZAWA, Yasuyuki)(JP/JP) 寒河江隆浩(SAGAE, Takahiro)(JP/JP) 石井 裕(ISHII, Hiroshi)(JP/JP) 矢崎宏之(YAZAKI, Hiroyuki)(JP/JP) 舟洞 誠(FUNABORA, Makoto)(JP/JP) 高瀬 満(TAKASE, Mitsuru)(JP/JP) 飯吉幸之(IIYOSHI, Yoshiyuki)(JP/JP) 山崎 悟(YAMAZAKI, Satoru)(JP/JP) 川原典明(KAWAHARA, Noriaki)(JP/JP) 〒949-2392 新潟県中頸城郡中郷村大字藤沢950 日本曹達株式会社 二本木工場内 Niigata, (JP)</p> <p>(74) 代理人 東海裕作, 外(TOKAI, Yusaku et al.) 〒100-8165 東京都千代田区大手町2丁目2番1号 日本曹達株式会社内 Tokyo, (JP)</p> <p>(81) 指定国 JP, US, 欧州特許 (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE)</p> <p>添付公開書類 国際調査報告書</p>
特願平10/377353	1998年12月29日(29.12.98)																
特願平11/13759	1999年1月22日(22.01.99)																
特願平11/14319	1999年1月22日(22.01.99)																
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特願平11/298257	1999年10月20日(20.10.99)																
特願平11/348302	1999年12月8日(08.12.99)																
特願平11/348564	1999年12月8日(08.12.99)																
特願平11/348752	1999年12月8日(08.12.99)																

(54) Title: PROCESSES FOR PRODUCING ACRYLIC ACID DERIVATIVE

(54) 発明の名称 アクリル酸誘導体の製造方法



(57) Abstract

Processes for producing a compound (1) represented by formula (1), which includes an acrylic acid derivative and is useful as an agricultural chemical or medicine. One of the processes comprises the step of formylating a compound (3) (step (1)) and the step of converting the OH of the resultant compound (2) into OR" (step (2)). The step (1) comprises reacting a formic or orthoformic ester in the presence of a Lewis acid and a base. The step (2) comprises [1] reacting the compound (2) with R" OH or with R" OH and CH(OR")₃ under acidic conditions or [2] using a phase-transfer catalyst in a two-phase system and regulating the base and the concentration thereof to stereoselectively synthesize the target compound. In another process, the compound (1) is efficiently produced without isolating the compound (2). In still another process, the compound (1) is directly produced without via the compound (2).

COMBINED DECLARATION AND POWER OF ATTORNEY

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that:

COURTESY COPY

TYPE OF DECLARATION

This declaration is of the following type :

☒ original

☐ design

☐ supplemental

☒ national stage of PCT

☐ divisional

☐ continuation

☐ continuation in part

INVENTORSHIP IDENTIFICATION

My RESIDENCE/POST OFFICE address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

PROCESS FOR PRODUCING ACRYLIC ACID DERIVATIVE

SPECIFICATION IDENTIFICATION

The specification is attached hereto.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international

application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Such applications have been filed as follows.

**PRIOR PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)**

COUNTRY (INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)

Joseph C. Mason, Jr.

Dennis G. LaPointe

REGISTRATION NUMBER(S)

20,153

40,693

Customer No. 24040

SEND CORRESPONDENCE TO

Mason & Associates, P.A.
17757 U.S. Hwy 19 North
Suite 500
Clearwater, FL 33764

DIRECT TELEPHONE CALLS TO:

727-538-3800

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Country	Application No.	Filing Date
JAPAN	377353/1998	December 28, 1998
JAPAN	13759/1999	January 22, 1999
JAPAN	14319/1999	January 22, 1999
JAPAN	66656/1999	March 12, 1999
JAPAN	298257/1999	October 20, 1999
JAPAN	348302/1999	December 8, 1999
JAPAN	348564/1999	December 8, 1999
JAPAN	948752/1999	December 8, 1999

1576c89.added2.doc

**ADDED PAGE TO COMBINED DECLARATION
AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION
OR C-I-P APPLICATION**

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
UNDER 35 U.S.C. SECTION 120**

I hereby claim the benefit, under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. SECTION 120:				
U.S. APPLICATIONS		Status		
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
PCT APPLICATION DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NOS. ASSIGNED (IF ANY)		
PCT/JP99/07397	28 December 1999			

1576c89.added.doc

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Yasuyuki		MIYAZAWA	Japan

RESIDENCE/Post Office Address	CITY	Country
3-22, Hakusancho 4-chome, Arai-shi	Niigata	Japan

Inventor's Signature: Yasuyuki Miyazawa

Date: 18 June 2001

Full name of second joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Takahiro		SAGAE	Japan

RESIDENCE/Post Office Address	CITY	Country
21-5, Honkomagome 5-chome, Bunkyo-ku,	Tokyo	Japan

Inventor's Signature: Takahiro Sagae

Date: 22 June 2001

Full name of third joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Yutaka		ISHII	Japan

RESIDENCE/Post Office Address	CITY	Country
1160-2-108, Fujisawa, Nakago-mura Nakakubiki-gun	Niigata	Japan

Inventor's Signature: Yutaka Ishii

Date: June 18, 2001

(check proper box(es) for any of the following added page(s) that form a part of this declaration)

- ☐ Signature for fourth and subsequent joint inventors. Number of pages added: ____.
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added: ____.
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added: ____.
- ☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)
- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application. ☐ Number of pages added: ____.

ADDED PAGE TO COMBINED DECLARATION AND POWER OF
ATTORNEY FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS

SIGNATURE(S)

Full name of fourth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Hiroyuki		YAZAKI	Japan

RESIDENCE/Post Office Address	CITY	Country
473-4, Itabashishinden Nakago-mura, Nakakubiki-gun	Niigata	Japan

Inventor's Signature: Hiroyuki YazakiDate: June 18, 2001

Full name of fifth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Makoto		FUNABORA	Japan

RESIDENCE/Post Office Address	CITY	Country
103-9-15, Todorokicho 1-chome, Inage-ku	Chiba	Japan

Inventor's Signature: Makoto FunaboraDate: June 13, 2001

Full name of sixth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Mitsuru		TAKASE	Japan

RESIDENCE/Post Office Address	CITY	Country
258-9, Aoki Jyoetsu-shi	Niigata	Japan

Inventor's Signature: Mitsuru TakaseDate: June 14, 2001

Full name of seventh joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Yoshiyuki		IIYOSHI	Japan

RESIDENCE/Post Office Address	CITY	Country
20-30, Kasugayamamati 1-chome, Jyoetsu-shi	Niigata	Japan

Inventor's Signature: Yoshiyuki IiyoshiDate: June 18, 2001

ADDED PAGE TO COMBINED DECLARATION AND POWER OF
ATTORNEY FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS

SIGNATURE(S)

eighth

Full name of ~~fourth~~ joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Satoru		YAMAZAKI	Japan

RESIDENCE/Post Office Address	CITY	Country
A-301-1072-1, Fujisawa Nakago-mura, Nakakubiki-gun	Niigata	Japan

Inventor's Signature: Satoru YamazakiDate: June 18, 2001Full name of ~~fifth~~ joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Noriaki		KAWAHARA	Japan

RESIDENCE/Post Office Address	CITY	Country
4861, Oaza Sekiyama, Myoko-mura Nakakubiki- gun	Niigata	Japan

Inventor's Signature: Noriaki KawaharaDate: June 18, 2001

Full name of sixth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
XXXXXXXXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX

RESIDENCE/Post Office Address	CITY	Country

Inventor's Signature: _____

Date: _____

Full name of seventh joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	

RESIDENCE/Post Office Address	CITY	Country

Inventor's Signature: _____

Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MIYAZAWA, Yasuyuki
Application No.: 09/869,458 Group No.: n/a
Filed: June 26, 2001 Examiner: n/a
For: PROCESS FOR PRODUCING ACRYLIC ACID DERIVATIVE

COURTESY COPY

Box Missing Part
Assistant Commissioner for Patents
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS
– NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed August 6, 2001.

A copy of the Notice to File Missing Parts of Application–Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

Attached are Declaration of Inventor and Declaration of Inventor's Supervisor to clarify the name of one of the co-inventors.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Express Mail: EL 889287162 US

Date: 10/04/01

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office at (703) ____ - ____.


Signature

Lia H. Costello, Legal Assistant

(type or print name of person certifying)

COMPLETION FEES

III.

1. Surcharge Fees

Late payment of filing fee and/or late filing of original declaration or oath (37 C.F.R. Section 1.16(e))	\$130.00
--	----------

Total Completion Fees	\$130.00
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EXTENSION OF TIME

IV. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

V. The total fee due is:

Completion fees	\$130.00
Extension fee (if any)	\$0.00
Total Fee Due	\$130.00

PAYMENT OF FEES

VI. Charge Account No. 13-1992 in the amount of 130.00.

A duplicate of this request is attached.

Please charge Account No. 13-1992 for any fees that may be due by this paper.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

VII. The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 13-1992.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims) 37 C.F.R. Section 1.16(e)
(surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

Date: 10/4/01


Signature of Practitioner

Reg. No.: 40,693
Tel. No.: 727-538-3800
Customer No.: 24040

Dennis G. LaPointe
Mason & Associates, P.A.
17757 US Hwy 19 N., Suite 500
Clearwater, FL 33764

Express Mail: EL 889287162 US

Mailed: Oct. 04, 2001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MIYAZAWA et al.)	
)	
S.N.: 09/869,458)	Examiner: UNKNOWN
)	
I.A. FILING DATE: 28 DEC 99)	Art Unit: UNKNOWN
)	
For: PROCESS FOR PRODUCING)	
ACRYLIC ACID DERIVATIVE)	
)	

DECLARATION OF INVENTOR

Box Patent Application
Commissioner of Patents & Trademarks
Washington, D.C. 20231

Dear Sir:

I, Yutaka ISHII, declare and state:

I am one of the co-inventors of the above-identified patent application and I am the same person listed as an inventor in PCT Publication W000/40537 as "Hiroshi ISHII."

My true name is "Yutaka ISHII" and that for the reasons described below, the listing in the PCT publication is in fact myself; but due to a translation problem, the name "Hiroshi ISHII" was listed and that the error did not come to my attention or the attention of my supervisor until after the publication.

Please note that my name as an inventor in the basic Japanese patent application was shown by ideogram (Chinese letter), which can be properly read as "Yutaka ISHII"; however, the same ideogram can be popularly read as "Hiroshi ISHII." The person who apparently made the PCT application made a mistake by reading the ideogram as "Hiroshi ISHII" without confirming the reading of the name with me or my supervisor.

I respectfully requests that the USPTO accept my declaration under my proper name of "Yutaka ISHII."

I hereby declare that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or of any patent issuing therefrom.

Dated: Sep, 19, 2001

Yutaka Ishii
Yutaka ISHII

\\1576\\1576.89\\Inventor affidavit.doc

Express Mail: EL 889287162 US

Mailed: Oct. 04, 2001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MIYAZAWA et al.)	
)	
S.N.: 09/869,458)	Examiner: UNKNOWN
)	
I.A. FILING DATE: 28 DEC 99)	Art Unit: UNKNOWN
)	
For: PROCESS FOR PRODUCING)	
ACRYLIC ACID DERIVATIVE)	
)	

DECLARATION OF INVENTOR'S SUPERVISOR

Box Patent Application
Commissioner of Patents & Trademarks
Washington, D.C. 20231

Dear Sir:

I, Keiichi Tsukashima, declare and state:

I am the manager of the Technical Research laboratory
of NIPPON SODA CO., LTD. in which Yutaka ISHII is employed.

Yutaka ISHII is in fact one of the co-inventors of the
above-identified patent application and he is the same person
listed as an inventor in PCT Publication WO00/40537 as "Hiroshi
ISHII."

His true name is "Yutaka ISHII" and that for the
reasons described below, the listing in the PCT publication is in
fact "Yutaka ISHII"; but due to a translation problem, the name

"Hiroshi ISHII" was listed and that the error did not come to his attention or the attention of myself until after the publication.

Please note that his name as an inventor in the basic Japanese patent application was shown by ideogram (Chinese letter), which can be read as "Yutaka ISHII"; however, the same ideogram can be popularly read as "Hiroshi ISHII." The person who apparently made the PCT application made a mistake by reading the ideogram as "Hiroshi ISHII" without confirming the reading of the name with me or Yutaka ISHII.

I respectfully requests that the USPTO accept the declaration of inventor under the proper name of "Yutaka ISHII."

I hereby declare that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or of any patent issuing therefrom.

Dated: Sept. 18, 2001

Keiichi Tsubashima

Express Mail: EL 889287162 US
Practitioner's Docket N . 1576.89

Mailed: Oct. 04, 2001
PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

COURTESY COPY

This declaration is of the following type: supplemental.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

PROCESS FOR PRODUCING ACRYLIC ACID DERIVATIVE

SPECIFICATION IDENTIFICATION

The specification of which was filed on 26 June 2001 as Application No. 09 /869,458.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
UNDER 35 U.S.C. SECTION 120**

I hereby claim the benefit, under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States

Code, Section 112, I acknowledge the duty to disclose information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. SECTION 120:				
U.S. APPLICATIONS		Status		
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
PCT APPLICATION DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NOS. ASSIGNED (IF ANY)		
PCT/JP99/07397	28 December 1999			

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Country	Application No.	Filing Date
JAPAN	377353/1998	December 29, 1998
JAPAN	13759/1999	January 22, 1999
JAPAN	14319/1999	January 22, 1999
JAPAN	66656/1999	March 12, 1999
JAPAN	298257/1999	October 20, 1999
JAPAN	348302/1999	December 8, 1999
JAPAN	348564/1999	December 8, 1999
JAPAN	948752/1999	December 8, 1999

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

- ☒ [x] I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)

Joseph C. Mason, Jr.
Dennis G. LaPointe

REGISTRATION NUMBER(S)

20,153
40,693

SEND CORRESPONDENCE TO

Mason & Associates, P.A.
17757 US Hwy 19 North, Suite 500
Clearwater, FL 33764

DIRECT TELEPHONE CALLS TO:
(Name and telephone number)

Dennis G. LaPointe
727-538-3800

Customer Number 24040

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)**Full name of sole or first inventor**

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Yasuyuki		MIYAZAWA	Japan

RESIDENCE/Post Office Address	CITY	Country
3-22, Hakusancho 4-chome, Arai-shi	Niigata	JAPAN

Inventor's Signature: Yasuyuki Miyazawa

Date: 25 Sep. '01

Full name of second joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Takahiro		SAGAE	Japan

RESIDENCE/Post Office Address	CITY	Country
21-5, Honkomagome 5-chome, Bunkyo-ku	Tokyo	JAPAN

Inventor's Signature: Takahiro Sagae

Date: 28 Sep. '01

Full name of third joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Yutaka *		ISHII	Japan

RESIDENCE/Post Office Address	CITY	Country
1160-2-108, Fujisawa, Nakago-mura Nakakubiki-gun	Niigata	JAPAN

* PLEASE SEE ATTACHED AFFIDAVIT

Inventor's Signature: Yutaka Ishii

Date: Sep. 19, 2001

Full name of fourth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Hiroyuki		YAZAKI	Japan

RESIDENCE/Post Office Address	CITY	Country
473-4, Itabashishinden Nakago-mura, Nakakubiki-gun	Niigata	JAPAN

Inventor's Signature: Hiroyuki Yazaki

Date: Sep. 26, 2001

Full name of fifth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Makoto		FUNABORA	Japan

RESIDENCE/Post Office Address	CITY	Country
103-9-15, Todorokicho 1-chome, Inage-ku	Chiba	JAPAN

Inventor's Signature: Makoto Funabara

Date: Sep. 14, 2001

Full name of sixth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Mistsuru		TAKASE	Japan

RESIDENCE/Post Office Address	CITY	Country
258-9, Aoki Jyoetsu-shi	Niigata	JAPAN

Inventor's Signature: 

Date: Sep. 21, 2001

Full name of seventh joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Yoshiyuki		IYOSHI	Japan

RESIDENCE/Post Office Address	CITY	Country
20-30, Kasugayamamati 1-chome, Jyoetsu-shi	Niigata	JAPAN

Inventor's Signature: Yoshiyuki Iiyoshi Date: Sep. 20, 2001
Full name of eighth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Satoru		YAMAZAKI	Japan

RESIDENCE/Post Office Address	CITY	Country
A-301-1072-1, Fujisawa Nakago-mura, Nakakubiki-gun	Niigata	JAPAN

Inventor's Signature: Satoru Yamazaki Date: Sep. 26, 2001
Full name of ninth joint inventor, if any

INVENTOR			Country of of Citizenship
Given Name	Middle Initial	Family (Last) Name	
Noriaki		KAWAHARA	Japan

RESIDENCE/Post Office Address	CITY	Country
4861, Oaza Sekiyama, Myoko-mura Nakakubiki-gun	Niigata	JAPAN

Inventor's Signature: Noriaki Kawahara Date: Sep. 19, 2001

This declaration ends with this page.